IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.11356 of 2000

Between:

M/s. Sri Laxmi Housing Associates,

rep. by its Partner S. Raghuramreddy

being minor rep. by his natural father

and guardian S. Narender Reddy,

S/o. Ramareddy, R/o. 8-3-30/7,

Panchayatraj Colony, Mettuguda,
Mahabubnagar. **..... PETITIONER**

AND

1 Sureti Ramulu S/o. Chennappa
Marikal village, Dhanwada Mandal,

Mahabubnagar District.

2 The President, District Consumer Forum,
Mahabubnagar District. **.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Mandamus, declaring the order dt.12.1.2000 of the
2nd respondent in C.D.No.4/98 and the consequent issuance of Warrants against the petitioner who is a minor as being illegal, arbitrary and set aside the same.

Counsel for the Petitioner: MR.M.A.ASHFAQ MOHIUDDIN

Counsel for the Respondents: None appeared.

The Court made the following :

ORDER:(Per Hon'ble Sri Justice B. Sudershan Reddy)

The question as to whether as on the date of registration of the petitioner's firm on 30-09-1995 the petitioner was a minor and his father in his capacity as a guardian signed the partnership deed on his behalf cannot be gone into by this Court in this judicial review proceedings. The petitioner and his father did not raise this objection for whatever reason before the 2nd respondent. It is stated that they could not raise the objection for the reason that no notice was served upon them.

The petitioner claims to have preferred an appeal before the State Commission questioning the correctness of the order passed by the District Forum. The present writ petition has been filed on the ground that the police were trying to execute the warrants against the petitioner since the petitioner could not obtain any stay order from the State Commission, as it was not functioning since the Chairman was not posted at that time.

The only direction that could be issued in this writ petition is to direct the State Commission to dispose of the appeal preferred by the petitioner herein in accordance with law, if the same is not yet disposed of. The petitioner shall have the advantage of the interim order earlier granted by this Court but only until disposal of the appeal.

The Writ Petition is accordingly disposed of. No order as to costs.

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B. SUDERSHAN REDDY, J

Date:01-11-2004.

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K.C. BHANU, J

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To

1) The President

District Consumer Forum,

Mahabubnagar District.

2) Two C.Cs. to G.P. for ,

High Court of A.P., Hyderabad (O.U.T.).

3) Two C.D. copies.